Remarks and Arguments

Claim 31 has been added. It does not contain new matter.

Claims 1, 2, and 4-25 were rejected pursuant to 35 USC 103(a) pursuant to U.S. Patent No. 6,443,976 to Flower in view of U.S. Patent No. 6,351,663.

Applicant has amended claim 1 to include the step of "confirming a reduction in the rate at which said treatment composition exits said lesion". This is supported by paragraph 64 of this application as published. As described in paragraph 16 of the application as filed "[o]ne advantage of the present invention is that by cutting off the blood flow using photocoagulation or DEP after administration of the PDT agent, the PDT agent becomes incarcerated in the lesion. This is significant as PDT agents... may not be as selectively bound to lesion tissues, such as CNVs, as originally anticipated. Therefore, by cutting off the blood flow to the lesion, once it has become at least partially filled with PDT agent, the PDT agent is physically held in the lesion for and during PDT."

Accordingly, Applicant(s) traverse(s) the rejection of rejected claims under 35 U.S.C. §103(a) on the grounds that the Examiner has failed to create a *prima facie* case of obviousness. In accordance with MPEP §2143.03, to establish a *prima facie* case of obviousness 1) the prior art reference (or references when combined) must teach or suggest *all* of the claim limitations; 2) there must be some suggestion or motivation to modify a reference or combine references; and 3) there must be a reasonable expectation of success.

The Patent Office has not indicated any reference which teaches all limitations in amended claim 1. For at least this reasons, Applicant respectfully submits that claim 1 and all claims that depend from claim 1 are novel and non-obvious.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Respectfully submitted

_____ Date: 3/2/06

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